

MINUTES

A regular meeting of the China Grove Town Council

**Tuesday, January 5th, 2009
7:00 p.m.**

**China Grove Town Hall
China Grove, North Carolina**

CALL TO ORDER

Mayor Bringle called the meeting of January 5, 2010 to order and welcomed all in attendance to join in the Pledge of Allegiance. Mayor Bringle called roll. All council members were present with the exception of Mr. Overcash, there was a quorum. The meeting started at 7:00 pm at the Municipal Building. Mr. Overcash arrived at 7:07pm.

Mr. Withers made a motion to adopt the agenda for the regular meeting of the Town Council on January 5, 2010. Mr. Seaford seconded the motion, which carried unanimously.

Mr. Upright made a motion to adopt the December 1, 2009 regular meeting minutes. Mr. Linn seconded the motion, which carried unanimously.

CITIZEN COMMENTS

None

PUBLIC HEARING – Rezoning Case #2009-03

Ms. Emily Jackson reviewed the Staff Report provided to the Council within their council agenda packets. She stated that the Planning Board recommended that the property be rezoned from Residential to Central Business.

Mayor Bringle opened the Public Hearing for public comment.

Mr. Richard Smith of 112 Centerview Street stated that he has renters in his apartment building and wanted to know if it will affect his property. He stated that he would like to keep his property the way it is. He stated that this is a private gym but then was able to rent it easier to tenants. He stated that it is a studio style apartment. He wanted to clarify how this will affect his property.

There were no further comments.

Mayor Bringle closed the Public Hearing.

Mayor Bringle asked if the Planning Board was aware that this was being rented as a studio apartment and what affects this has on this property.

Ms. Jackson stated that she was not aware that this is being rented as a studio apartment rental.

Ms. Jackson stated that the current use of the property is not permitted. She stated that if the rental apartments are on the main floor it might possibly still be nonconforming. She asked that this be tabled for the next meeting.

Mr. Seaford made a motion to table the case of #2009-03 for the February meeting. Mr. Withers seconded the motion, which carried unanimously.

Mayor Bringle stated that the item would be tabled for the next Council meeting and asked Mr. Smith to be in contact with Ms. Jackson.

NEW BUSINESS

I) I-85 Resolution

Mr. Seaford stated that the COG is trying to get this fast-tracked to the Governor to receive support and stimulus monies. He stated that the bridge on I-85 has exceeded this lifetime and this is very needed to complete the next phase of the I-85 corridor.

Mr. Upright asked what it means if the council passes this resolution.

Mayor Bringle stated that it indicates to the State that the Town is in support of the cooperation for the future of I-85.

Mr. Pless stated that this is in the Town's best interest.

Mr. Overcash made a motion to accept the Resolution in Support of Municipal Cooperation for the Future of the Interstate 85 Corridor in Rowan County. Mr. Upright seconded the motion, which carried unanimously.

II) Request for utility bill adjustment – Jesse Carson High School

Mr. Pless stated that they were approached in the summer by the Energy Manager and Maintenance Director of Rowan-Salisbury School System. He stated that the amount to be adjusted is in the thousands of dollars. He stated that this letter shows several situations that may have caused excessive use; however, did not enter into the sewer

system. He stated that because of the size of the problem and adjustment he wanted to bring it to the Council.

Mayor Bringle reviewed the history and the letter and stated that he can understand that it would have been possible. He stated that there should be an adjustment given on the sewer side. He stated that the total twelve month average, not including the month with excessive usage, is 22,000 gallons and recommends giving an adjustment based on this amount.

Mr. Overcash stated that he believes the school should be given the same as a regular citizen.

Mayor Bringle stated that the Council's consensus is to give an adjustment on the sewer based off a twelve month average.

Mr. Butch Bivens, Maintenance Supervisor, stated that he believes that this would be fair. He stated that he feels that the matter has been well-addressed and doesn't believe it will happen again in the future. He thanked the Council.

III) Budget Amendments

Mrs. Mary Jo Bopp stated that they received income from the NCGSHP grant and stated that the Budget Amendment will acknowledge an increase in revenue and increase expenditures. She stated that also, the Fire Department purchased a fire truck that they were able to pay because of Capital Improvement Plan. She stated that the transfer from the Capital Reserve, the saved monies for the Fire Department fire truck purchase.

Mr. Withers made a motion to adopt the Budget Ordinance Amendment dated January 5, 2010. Mr. Linn seconded the motion, which carried unanimously.

OTHER BUSINESS

I) Sidewalk Update

Mr. Pless stated that the committee met following the previous Town Council meeting. He stated that the committee agrees to proceed with the project. He stated that with the deductions in linear footage, the project should remain within the projected bidding. He stated that the project has been re-advertised and the bids should be coming in on the 14th of January. He stated that the Council may need to be available the following week for a called meeting to award the bid.

Mayor Bringle asked to hold the called meeting on January 19th, 2010 at 5:00pm if need be. The Council was in favor of this date.

II) Recycling Update

Mr. Ketner stated that the dumpsters are in place. He stated that there will be a roll-out for aluminum cans. He stated that the cardboard and paper will be put into one container and the plastics into another.

Mayor Bringle asked Mr. Pless to look into a way to inform the citizens of the new location to recycle. He stated that operating hours would be from 8-5 Monday through Friday.

Mayor Bringle thanked the staff for working on getting this implemented.

III) Handrail Update

Mr. Ketner stated that they have discussed this matter for several meetings. He stated that he has met with several contractors but only received one bid as of this time. He stated that two bids were given with two different options of handrails. He stated that he and Mr. Pless walked Main Street to speak to business owners. He stated that they did not like a rail parallel to the sidewalk. He stated that he researched the property. He stated that the Town of China Grove does not have right-of-way to construct anything along this property line with it being NCDOT property and right-of-way. He stated that most of the business owners agree that this double step has been there for over one hundred years and don't want to see it changed. He stated that Mr. Kiser stated that he has agreed to install a handrail but Mr. Kiser would be responsible for negotiating this with NCDOT. He stated that there is a similar situation in front of Mr. Grey Corriher's business on North Main Street and believes this area would need to be treated the same.

Mayor Bringle thanked them for speaking with the businesses. He stated that the State of North Carolina has a law called Contributory Negligence. He stated that it does allow us some leeway provided it is constructed properly. He stated that he would like to see either one or several handrails constructed along this area. He stated that there is a need to have these.

Mr. Seaford recommended that if the businesses want to install a handrail they are more than welcome.

Mr. Upright stated that this will snowball into bigger issues. He stated that if the business owner wants to pursue installing a handrail they are more than welcome.

Mr. Withers stated that he has talked to people that are dependent on this handrail. He stated that he isn't sure what to do because if you put up one then there would be many others that would have to be installed.

Mr. Pless stated that it would be in the Town's best interest to let the property owner pursue the issue with NCDOT.

Mr. Withers stated that rear parking is a long term solution that has been discussed previously. He stated that they are ground level with rear entrances. He stated that he would rather see something that would benefit all of the businesses safely and properly.

Mr. Upright asked if any of the business owners saw the quotes.

Mr. Ketner stated that they did not.

Mayor Bringle supports any efforts on behalf of the merchants but makes no direction to our staff to proceed with the bids or construction of handrails.

Mayor Bringle asked Ms. Jackson to advertise for the ETJ position on the Town of China Grove Board of Adjustment.

Mayor Bringle recognized the Police Department for their toy drive that they held back before Christmas and thanked them for what they did.

Mayor Bringle also recognized Chief Kluttz for responding to a fire in Landis where he helped pull someone from a burning building.

Mr. Pless stated that the three newest Council members were awarded partial scholarships for a workshop that they will be attending at the end of January.

Mr. Pless stated that he requests to plan the Annual Retreat on the 20th of February, 2010 or an alternate of February 27, 2010.

ADJOURN

Mr. Withers made a motion to adjourn. Mr. Linn seconded the motion, which carried unanimously.

Respectfully Submitted,

Amanda A. Eller, Town Clerk

Donald E. Bringle, Mayor